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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE: TAHOE RESOURCES, INC.
SECURITIES LITIGATION

CASE NO. 2:17-cv-01868-RFB-NJK

**JOINT STIPULATION AND
[PROPOSED] ORDER TO MODIFY
CLASS CERTIFICATION BRIEFING
SCHEDULE
(Second Request)**

Plaintiff Kevin Nguyen (“Plaintiff”) and Defendants Tahoe Resources, Inc., C. Kevin McArthur, Ronald W. Clayton, Mark T. Sadler, and Edie Hofmeister (“Defendants” and, together with Plaintiff, the “Parties”), by and through their undersigned counsel, hereby stipulate to modify the briefing schedule for Plaintiff’s Motion for Class Certification as follows:

WHEREAS, on June 6, 2021, the Court granted the Parties’ Joint Stipulation to Set Class Certification Briefing Schedule (ECF No. 141) that provided that Plaintiff would file his motion for class certification on July 1, 2021, Defendants would file their response to the motion for class certification on September 1, 2021, and Plaintiff would file his reply on October 29, 2021;

WHEREAS, Plaintiff filed his Motion for Class Certification on July 1, 2021;

WHEREAS, Plaintiff produced documents relevant the report of his expert, Dr. Zachary

1 Nye Ph.D. on July 19, 2021, and Defendants took the deposition of the Plaintiff and Dr. Nye on
2 August 3rd and 4th;

3 WHEREAS, the Parties have also been working cooperatively to complete the first phase
4 of fact discovery, which focuses on the depositions of witnesses residing in the United States and
5 is currently scheduled to end on September 1, 2021;

6 WHEREAS, scheduling the depositions of United States witnesses has been complicated
7 because a majority of those witnesses are third-parties or former employees of Tahoe Resources
8 who have to be subpoenaed individually, who reside outside of Nevada and whose availability
9 for deposition continues to be adversely impacted by the COVID 19 pandemic;

10 WHEREAS, contemporaneously herewith, the Parties have filed a joint stipulation
11 requesting that the Court adjust the date for completion of the first phase of fact discovery from
12 September 1st to November 1st to facilitate the orderly completion of depositions of United States
13 witnesses;

14 WHEREAS, it is contemplated that if extended, completion of the first phase of
15 discovery would proceed contemporaneously with the commencement of the second phase of
16 discovery, which includes foreign discovery;

17 WHEREAS, the Defendants seek additional time to prepare their response to the Motion
18 for Class Certification and their expert's rebuttal to Dr. Nye's report;

19 WHEREAS, the Parties in good faith view a twenty-eight (28) day extension of time for
20 Defendants to file their response to the Motion for Class Certification and Plaintiff to conduct
21 discovery of Defendants' expert and file their reply in support of the Motion as reasonable and
22 necessary to the efficient administration of the case, and is not anticipated to delay the ultimate
23 disposition of the case, including the close of discovery and deadline to file dispositive motions
24 that are presently set for late 2022;

25 NOW, THEREFORE, the Parties request that this Court modify the briefing schedule for
26 Defendants' response to Plaintiff's Motion for Class Certification as follows:

27 1. Defendants shall file their response to the Motion for Class Certification by
28 September 29, 2021; and

2. Plaintiff shall file his reply in support of his Motion for Class Certification by November 30, 2021.

IT IS SO STIPULATED.

Dated: August 27, 2021

LEAD PLAINTIFF
KEVIN NGUYEN

TAHOE RESOURCES, INC.

By: /s/ James M. Wilson, Jr.

By: /s/ Karl R. Barnickol

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ORDER

IT IS SO ORDERED that Defendants' response to Plaintiff's Motion for Class Certification shall be due by September 29, 2021, and Plaintiff's reply in further support of his class certification motion shall be due by November 30, 2021.

DATED: August 31, 2021.



THE HONORABLE RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Pursuant to F.R.C.P. 5(b), I certify that on August 30, 2021, a true and correct copy of the **JOINT STIPULATION AND [PROPOSED] ORDER TO SET CLASS CERTIFICATION BRIEFING SCHEDULE (Second Request)** was transmitted electronically through the Court's e-filing electronic notice system to the attorney(s) associated with this case. If electronic notice is not indicated through the court's e-filing system, then a true and correct paper copy of the foregoing document was delivered via U.S. Mail.

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